

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GERALD J. WILSON,

Plaintiff,

v.

J. CASTRO,

Defendant.

Case No. [24-cv-02050-HSG](#)

**ORDER OF TRANSFER**

Plaintiff, an inmate housed at Richard J. Donovan Correctional Facility in San Diego, California has filed a *pro se* action, alleging that prison officials at Kern Valley State Prison (“KVSP”) retaliated and discriminated against him, in violation of the federal Constitution, and violated his rights under the Americans with Disabilities Act (“ADA”). Dkt. No. 1. Venue generally is proper in a judicial district in which: (1) any defendant resides, if all defendants are residents of the state in which the district is located; (2) a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) any defendant is subject to the court’s personal jurisdiction, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). The named defendants likely reside in Kern County, where KVSP is located, and the events or omissions giving rise to Plaintiff’s claim(s) also occurred at KVSP in Kern County. Kern County lies within the venue of the Eastern District of California. *See* 28 U.S.C. § 84(b). Venue therefore properly lies in the Eastern District.<sup>1</sup> *See id.* § 1391(b).


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<sup>1</sup> It appears that Plaintiff filed this action in this district because he is a member of the *Armstrong* class action, and because he alleges that Defendants’ actions or inactions violated the injunctions or decrees set forth in *Armstrong v. Newsom*, C No. 94-cv-2307 CW. To the extent that Plaintiff seeks relief related to *Armstrong*, he should seek help from class counsel in *Armstrong* in the

Accordingly, IT IS ORDERED that, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action be TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk is directed to close the case.

**IT IS SO ORDERED.**

Dated: 5/6/2024

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge

United States District Court  
Northern District of California

*Armstrong* action, not file a separate action. “Individual members of the class and other prisoners may assert any equitable or declaratory claims they have, but they must do so by urging further action through the class representative and attorney, including contempt proceedings, or by intervention in the class action.” *Gillespie v. Crawford*, 858 F.2d 1101, 1103 (5th Cir. 1988) (en banc). Plaintiff may contact the *Armstrong* Plaintiffs’ class counsel at one of these two addresses: Donald Specter, Esq., Prison Law Office, 1917 Fifth Street, Berkeley, CA 94710, or Michael William Bien, Esq., Rosen Bien Galvan & Grunfeld LLP, 101 Mission Street, 6th Floor, San Francisco, CA 94105-1738.